

CHAPTER 11.

GRAND JURY.

AN ACT entitled an Act to amend Section 2891 of the Code of Iowa.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That Section 2891 of the Code of Iowa be amended so as to read as follows: "From the persons summoned to serve as Grand Jurors, the Court must appoint a foreman who shall have authority to administer oaths to all witnesses produced for examination before the Grand Jury. The Court shall also appoint a Foreman who shall have like authority, when the person already appointed is discharged or excused before the Grand Jury is dismissed." Foreman shall administer oaths.

SEC. 2. This act shall take effect from and after its publication in the Iowa Citizen and Iowa State Journal. Take effect.

Approved February 9th, 1858.

I hereby certify that the foregoing Act was published in the Iowa Citizen February 24th, A. D. 1858, and in the Iowa State Journal February 13th, A. D. 1858.

ELIJAH SELLS,
Secretary of State.

CHAPTER 12.

INSURANCE COMPANIES.

AN ACT to amend An Act entitled An Act in relation to Insurance Companies, approved January 25th, 1857.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That if any Insurance Company, association, firm or individual, or their agent or agents having filed its or their statements and evidences of investments as required by the act to which this is amendatory, and conformed to the requirements of that act, shall have on deposit in any other State or Territory, or elsewhere than in this State, any portion of its capital or earnings as a guarantee fund for the exclusive ben-

When guarantee fund deposited in another State the Auditor shall withhold certificate until statement is made a deposit of five per cent. with Auditor.

efit or security of persons insured in such State, Territory or other place, it shall be the duty of the Auditor of State to withhold from such body or individual, so alienating any such portion of their capital and resources, the certificate and authority in said act provided for, until such body or individual shall file with the Auditor of State a statement duly verified by the oath or affirmation of the President or Secretary of such incorporated company, or member of such incorporated company, association, partnership or firm, or by such individual, showing the amount of premiums received in this State by such company during the year ending on the first of January next, preceding the filing of said statement, and shall deposit in this State in such manner as the Auditor of State shall direct, five per cent. of the amount so received in money or solvent State or United States stocks of at least par value or mortgages on real estate, situated in this State of at least double the value for which the same is mortgaged—which statements and deposits shall be so made, from year to year, at the time of each renewal or original grant of authority by said Auditor, until the sum of forty thousand dollars is deposited as aforesaid; which said sum and every yearly part thereof deposited as aforesaid, shall be held under the control of such Auditor of State as a guarantee fund for the benefit of such persons as may be in any manner insured in their property by such company within this State, and the same or any part of the sum so deposited shall not be drawn out by the depositors until all claims for losses or premiums, or risks unexpired, shall be fully paid and discharged, or until all deposits made in other States, Territories and other places, not within this State, shall be withdrawn. And in case of the insolvency of any such company, the sums so deposited as aforesaid, shall be applied by the Auditor of State, protanto, towards the payment of all claims against such body or individual, filed in his office duly liquidated and authenticated, and losses and premiums on risks unpaid, on policies issued within six

Guarantee Fund
 held by Auditor
 for the benefit of
 parties insured
 within this State

Fund how dispos-
 ed of by Auditor
 when Company
 insolvent.

months after such insolvency may occur, any such body or individual shall be deemed insolvent, upon failure to pay any undisputed loss insured against, within this State, for the space of ninety days after final judgment, for the amount of any loss so insured against, when no appeal shall have been taken from such judgment by either party, or other proceeding begun to vacate, modify, reverse or review such judgment, or to arrest the same, or to obtain a new trial. Such body or individual shall be entitled to receive the interest or dividends on such stocks so deposited from time to time as the same may become due.

This section shall not apply to any of the aforesaid bodies or individuals who have made no such deposit as in this section mentioned elsewhere, than in this State.

Application of foregoing.

SEC. 2. Mutual Insurance Companies incorporated by any other State than the State of Iowa, upon filing in the office of the Auditor the act of Incorporation of said company, together with a written instrument under seal of said company signed by the President and Secretary of said Company, under oath certifying that said company is possessed of a capital of at least one hundred thousand dollars, secured by lien on real estate, worth at cash valuation at least five times the amount of said capital, and not encumbered to more than one half of said cash valuation, shall be entitled to a certificate from said Auditor with authority to transact business of insurance in this State, and said company shall be exempt from the provisions of an act to which this is amendatory, with the exception of the publication of statement and certificate of the Auditor.

Auditor issue certificate to foreign Insurance Companies.

SEC. 3. It shall be the duty of the agent or agents of either of the foregoing sections, mentioned, before taking any risks or transacting any business of insurance in this State, to file in the office of Clerk of the District Court of the county of which he or they may desire to establish an agency for any such company, a copy of the statement required to be filed with the Auditor of the State as aforesaid, together with a certificate of said Auditor, which shall be carefully preserved for public in-

Agent file statement with Clerk District Court.

Published in
newspaper.

spection by said Clerk, and said statement and certificate shall be published one week in three daily, and three weeks in five weekly newspapers of general circulation in the State of Iowa.

Repeal.

SEC. 4. Section seven of the act to which this is amendatory, and all other acts that conflict with the provisions of this act are hereby repealed.

Take effect.

SEC. 5. This act to take effect and be in force from and after its publication in the Iowa Weekly Citizen and Iowa State Journal without expense to the State.

Approved February 9th, 1858.

I hereby certify that the foregoing Act was published in the Iowa Weekly Citizen on the 17th day of February A. D. 1858, and in the Iowa State Journal on the 13th day of February, A. D. 1858.

ELIJAH SELLS,
Secretary of State.

CHAPTER 13.

TOWN OF GUTTENBURG.

AN ACT regulating the official acts of the Town Council of Guttenburg.

Acts legalized.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the official acts of the Mayor and Town Council of Guttenburg, in the purchase and sale of real estate and personal property for the benefit of said town, be and the same are hereby legalized.

Take effect.

SEC. 2. This act shall take effect from and after its publication in the Clayton County Herald and Weekly North Iowa Times, without cost to the State.

Approved February 10th, 1858.

I hereby certify that the foregoing Act was published in the Clayton County Herald — 1858, and in the Weekly North Iowa Times, — 1858.

ELIJAH SELLS,
Secretary of State.